

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

TYRANCE DEWAYNE HILL,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

No. 1:20-cv-00267-SNLJ

MEMORANDUM AND ORDER

This matter comes before the Court on a document submitted by petitioner Tyrance Dewayne Hill titled “Motion Based on the All Writs Act 28 U.S.C. 1651.” The motion is handwritten and not on a Court form. In the motion, petitioner accuses the Bureau of Prisons of abusing its discretion “under Kay Fez/Willis,” which apparently resulted in him not receiving the proper jail credit.¹ Because petitioner seems to be attacking the execution of his sentence, the claim should be brought pursuant to 28 U.S.C. § 2241. *See Nichols v. Symmes*, 553 F.3d 647, 649 (8th Cir. 2009). The Court will therefore direct petitioner to file an amended 28 U.S.C. § 2241 petition on a Court form. *See* E.D. Mo. L.R. 2.06(A) (“All actions brought by self-represented plaintiffs or petitioners should be filed on Court-provided forms”). Petitioner will be given thirty days in which to comply. Failure to comply will result in the dismissal of this action without prejudice and without further notice.

Accordingly,

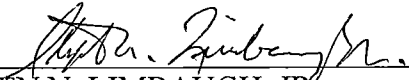
¹ Petitioner appears to be referring to *Kayfez v. Gasele*, 993 F.2d 1288 (7th Cir. 1993) and *Willis v. United States*, 438 F.2d 923 (5th Cir. 1971).

IT IS HEREBY ORDERED that the Clerk of Court shall send to petitioner a copy of the Court's 28 U.S.C. § 2241 form.

IT IS FURTHER ORDERED that petitioner shall file an amended 28 U.S.C. § 2241 petition on the Court form within **thirty (30) days** of the date of this order.

IT IS FURTHER ORDERED that if petitioner does not file an amended 28 U.S.C. § 2241 petition on the Court form within **thirty (30) days** of the date of this order, this action will be dismissed without prejudice and without further notice.

Dated this 10th day of May, 2021.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE